

**DISPOSITION:** March 14, 1947. Pleas of nolo contendere having been entered, the court imposed fines of \$150 against the corporation and \$1 against the individual.

**2170. Misbranding of Devonshire's Earth Salts. U. S. v. Harry C. Johnson (F. S. Powers & Company). Plea of guilty. Fine, \$20. (F. D. C. No. 14238. Sample Nos. 8429-F, 8430-F.)**

**INFORMATION FILED:** June 13, 1945, Northern District of Illinois, against Harry C. Johnson, trading as F. S. Powers & Company, Crystal Lake, Ill.

**ALLEGED SHIPMENT:** On or about February 17 and March 18, 1944, from the State of Illinois into the State of Wisconsin.

**PRODUCT:** Analyses disclosed that the product was a fine white powder consisting essentially of carbonates, phosphates, chlorides, sulfates of calcium, sodium, magnesium, and iron, and small amounts of free sulfur, silica, and fluorine compounds.

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in accompanying circulars entitled "Devonshire's Earth Salts Mineral Elements" and "Devonshire's Earth Salts Mineral Elements a Compound of the Life Giving Mineral Elements of Mother Nature" were false and misleading in that they represented and suggested that the article would be efficacious in the cure, mitigation, treatment, and prevention of appendicitis, trench mouth, skin disorders, sinus disorders, stomach troubles, a run-down condition, Bright's disease, diabetes, high blood pressure, poor eyesight, kidney trouble, backache, dizzy spells, swelling in legs, brown spots on the face, colitis, sinus headache, neuritis, rheumatism, an anemic condition, gall-bladder trouble, palpitation of the heart, leakage of the heart, breaking out of the face, bad condition of stomach and bowels, eczema, boils, and periodic pains; that it would be effective as a body builder; that it would supply pep, increase weight, strengthen the body, increase vitality and energy, cure anyone who was ill, clean and strengthen the system, prevent colds, renew health, give life, prevent and remedy abnormal disease conditions which cause untold suffering and misery to the human race, help the body wage its war against disease, and cure the sick; and that it would be beneficial for relief in treating rheumatism, lumbago, sciatica, neuritis, intestinal disorders, kidneys, spleen, liver, bladder, diabetes, goiter, gall trouble, skin disorders, eczema, stomach ulcers, nervous disease, and bronchitis. The article would not be efficacious for the purposes represented.

**DISPOSITION:** January 27, 1947. At the request of the defendant, the case was transferred for plea to the Southern District of California. Thereafter, a plea of guilty was entered and the court imposed a fine of \$10 on each of the 2 counts of the information.

**2171. Misbranding of Devonshire's Earth Salts. U. S. v. Harry C. Johnson (F. S. Powers & Company). Plea of not guilty. Tried to the jury. Verdict of guilty. Fine, \$10. (F. D. C. No. 17861. Sample No. 17400-H.)**

**INFORMATION FILED:** May 10, 1946, Southern District of California, against Harry C. Johnson, trading as F. S. Powers & Company, Los Angeles, Calif.

**ALLEGED SHIPMENT:** On or about May 25, 1945, from the State of California into the State of Wisconsin.

**PRODUCT:** Examination disclosed that the product consisted essentially of carbonates, sulfates, chlorides, and phosphates of calcium, sodium, iron, and magnesium, and a small proportion of sulfur.

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in circulars entitled "Devonshire's Earth Salts Mineral Elements" and in a manual bearing on its cover the words "Devonshire's Earth Salts," which accompanied the article, were false and misleading since the statements represented and suggested that the article would be efficacious in the cure, mitigation, treatment, and prevention of rheumatism, anemia, cold, sinus disorders, appendicitis, diabetes, skin diseases, underweight, constipation, a general run-down condition, eczema, mineral deficiency diseases, colitis, stomach trouble, sinus headache, gall-bladder trouble, palpitation of the heart, leakage of the heart, Bright's disease, high blood pressure, poor eyesight, backache, dizzy spells, swelling of legs, painful boils, periodic pains, kidney and bladder trouble, ulcers of the stomach, piles, boils, ulcer of the intestines, pyorrhea, nervous break-down, menstrual cramps,

nervousness, restlessness, sleeplessness, lack of pep, lack of ambition, headaches caused by constipation, lumbago of neck and shoulders, drowsiness after eating, failing health, excessive acid stomach, intestinal flu, underweight conditions, trench mouth, skin disease including those that are seldom curable, weakness, rheumatoid arthritis, neuritis, chronic diarrhea, beginning of insanity, hardening of the arteries, ununited fractures, pain in the bladder, cancer of the bladder, low blood pressure, erysipelas, swollen hands and knees, dropsy of the blood, liver trouble, pains in the legs, epileptic fits, prostate gland trouble, and acute appendicitis; that it would cleanse and strengthen the entire system and cause all organs of the body to function properly; that it was a great body cleaner and builder; and that it would be efficacious as a body builder and beauty treatment and in reconditioning the system. The article would not be efficacious for such purposes.

**DISPOSITION:** January 27, 1947. The defendant having entered a plea of not guilty, the case came on for trial before a jury on July 23, 1946. On July 26, 1946, the trial was concluded, and the jury returned a verdict of guilty. On January 27, 1947, the court imposed a fine of \$10.

**2172. Misbranding of Loca Septo. U. S. v. Clem A. Conaway (Loca Septo Co.).** Plea of guilty. Fine, \$50 and costs. (F. D. C. No. 20183. Sample Nos. 16773-H, 19401-H.)

**INFORMATION FILED:** November 13, 1946, Southern District of Iowa, against Clem A. Conaway, trading as the Loca Septo Co., Des Moines, Iowa.

**ALLEGED SHIPMENT:** The drug was shipped on or about December 18, 1944, and July 20, 1945, from the State of Iowa into the States of Illinois and Minnesota. In addition, the defendant shipped between the approximate dates of May 1 and July 21, 1945, a number of display cards entitled "For Healthy Feet Loca Septo" and a number of pamphlets entitled "Loca Septo."

**PRODUCT:** Analysis showed that the product consisted essentially of an aromatic, yellow-brown, oily liquid containing petroleum oil and small amounts of aromatic hydrocarbons such as xylol and toluene, and cresols.

**LABEL, IN PART:** "Loca Septo A Mineral Oil Containing Hydrocarbons of Coal, Anthracene, Cresols, Xylol, Naphtholene and Toluol."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements on the bottle label and display cards and in pamphlets were false and misleading. These statements represented and suggested that the article would be efficacious in the treatment of infected parts, trench foot, athlete's foot, bunions, corns, bruises, sprains, parasitical and fungi infections, all types of infection, dry sockets, trench mouth or unfavorable reaction in dental surgery, neuritis, hemorrhoids, arthritis, gangrene infection, bed sores, all kinds of itching and skin diseases, ringworm, psoriasis, and barber's itch; that it was an antiseptic and germicide; that it possessed healing power; and that it would be conducive to foot health. The article would not be efficacious for the purposes and conditions stated and implied; it was not an antiseptic and germicide; it did not possess healing power; and it would not be conducive to foot health.

**DISPOSITION:** On April 28, 1947, a plea of guilty having been entered by the defendant, the court imposed a fine of \$50, plus costs.

**2173. Misbranding of Sharp's Salve. U. S. v. William B. Sharp (Sharp's Salve Manufacturing Co.).** Plea of guilty. Fine, \$100 and costs. (F. D. C. No. 21436. Sample Nos. 19170-H, 66820-H.)

**INFORMATION FILED:** February 6, 1947, Southern District of Iowa, against William B. Sharp, trading as the Sharp's Salve Manufacturing Co., Des Moines, Iowa.

**ALLEGED SHIPMENT:** A number of jars of the product, together with a quantity of letters and a number of leaflets entitled "Sharp's Salve Made and Recommended for Man or Beast," were shipped on or about March 18, 1945, from the State of Iowa into the State of Illinois; and one jar of the product, around which was wrapped the aforementioned letter, was shipped on or about February 10, 1946, from the State of Iowa into the State of Nebraska.

**PRODUCT:** Examination showed that the product was a soft, yellow ointment containing essentially a fatty, saponifiable base, resinous and waxy material, reducing sugars, turpentine, linseed oil, and protein.